



Paper No. 4

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**OFFICE OF PETITIONS**

**DECISION GRANTING  
PETITION**

Pennie & Edmonds, LLP  
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Palo Alto CA 94304

In re Application of:  
Yang  
Application No. 10/038,193  
Filed: October 23, 2001  
Attorney Docket No. 10752-005-999

This is a decision on the March 19, 2002 petition under 37 C.F.R. §1.10(c) requesting that the above-identified application be accorded a filing date of October 23, 2001 rather than the presently accorded filing date of November 23, 2001.

Petitioner alleges that the application was deposited in Express Mail service on October 23, 2001. In support, the petition is accompanied by a copy of Express Mail receipt no. EL452481564US (the same Express Mail number found on the original application papers located in the official file) showing a "date in" of October 23, 2001.

In view of the above, *this petition is **granted**.*

This application will be returned to Initial Patent Examination Division for correction of the filing date to October 23, 2001.

Although the address given on the petition differs from the address of record, the application does not indicate that a change of address has been filed. A change of address should be filed in this case in accordance with M.P.E.P. 601.03. A courtesy copy of this decision is being mailed to the address noted on the petition. However, until otherwise instructed, all future correspondence regarding this application will be mailed solely to the address of record.

Telephone inquiries concerning this matter may be directed to the undersigned in the Office of Petitions at (702) 306-5593.

Scott M. Ledford  
Attorney  
Office of Petitions  
Office of the Deputy Assistant Commissioner  
for Patent Examination Policy

cc: Samuel B. Abrams  
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